

Opening Statement of the Honorable John Shimkus
Subcommittee on Environment and the Economy
“E-manifest: An Update on Implementation”
October 27, 2015

(As Prepared for Delivery)

This morning's hearing focuses our panel on EPA's implementation of an electronic program to receive, store, and make publicly available manifests of hazardous waste. Creation of this system has been something that EPA, the regulated industry, and environmental advocacy groups have supported for quite some time as a way of modernizing the carbon copied, paper clogged system in place.

Three years ago, enthusiasm was high for taking this Solid Waste Disposal Act requirement into the 21st Century. In September 2012 Congress came together with solid bipartisan majorities to permit EPA to collect the fee needed to set up the system EPA wanted to operate. I think we all believed that not only would EPA be able to continue tracking hazardous waste destined for treatment, storage, or disposal; but the new system provided the collateral benefits of increased transparency, access to critical information for first responders, reduced reporting errors, and greater accountability of waste management.

EPA asked for, and we gave them, three years to get the system up and running. Working through some thorny funding concerns we authorized the money to make this happen. There was no reason to believe the system would not be operational within that time frame.

That was then.

Three weeks ago, yesterday, marked three years from the date of enactment of the Hazardous Waste Electronic Manifest Act. Under the law, EPA was supposed to have moved from the system creation phase to its actual deployment. But, the system is not ready for “prime time.”

Moreover, while EPA has been given \$7.4 million to get this system going -- \$1.4 million more than Congress authorized through fiscal year 2015, the President's fiscal year 2016 budget request now calls for another \$7.4 million to finish building the system.

Yet, because the law assumed EPA would have the system working by now, the law's authorization has expired and its user fees are unavailable until the electronic manifest system is working. We all know there isn't spare federal money lying around and it is an easy disqualifier for further funding if there is not a current authorization.

If this system is going to survive it's up to the Agency to help us get to the bottom of what is going on here and, if merited, make the case to others that e-Manifest's launch needs further authorization and more funding.

I know EPA hasn't been sitting on its hands the last three years, but we need a full accounting of what it has been doing and what still needs to be done. Ultimately, we need to know why it's taking so long, why it's costing so much, and when, if EPA does get its requested funding, will this system actually be usable.

I welcome our witness from the Environmental Protection Agency, Barnes Johnson. I appreciate you coming up here to share your experience and insight on the Agency's efforts. We are glad that you are here and hope you will see as a partner in trying to make the system run well.

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